

**FV214-CS1**

**October 1999**

# **Commodity Specification**

## **Fresh Vegetables**



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**I. General****A. U.S. Standards**

Fresh vegetables (product/commodity) produced under this Commodity Specification must meet the requirements specified in the applicable United States Standards for Grades of fresh citrus (U.S. Standards) effective on the date of the Invitation for Offers to Sell (Invitation). The U.S. Standards are published separately (7 C.F. R. part 51) and are incorporated herein and made a part of this Commodity Specification.

**B. Exceptions to U.S. Standards**

Additional exceptions may be specified in the applicable Invitation. Any authorized exceptions contained in the applicable Invitation shall have precedence over the requirements contained herein, for that Invitation only.

**C. Product Origin**

1. Commodities delivered pursuant to this Commodity Specification shall have originated from crops that have been 100% grown, and packed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands, (hereinafter referred to as the United States). See Section I.F. of Announcement FV-214.
2. If the contractor handles any commodity originating from sources other than the United States, the contractor must have a written plan to segregate the commodity. This segregation plan will include an identification and record system for all commodities to ensure they are completely segregated and cannot be used to fulfill contracts awarded by USDA. Such segregation plan must be made available to representatives of the Agricultural Marketing Service (AMS).
3. The contractor must maintain positive written documentation records evidencing 100 percent domestic origin, to the grower level. Contractors must also ensure that the documentation provided by any sub-contractors demonstrates the same level of traceability. The burden of proof of compliance is on the contractor.

Documentation may include load or warehouse storage receipts for fresh products (i.e., bin tags), product coding explanations, warehousing records, shipping or payment records, or other documentation or evidence that clearly establishes the product's domestic origin.

4. Contractors must provide the domestic origin certification (Exhibit D, located in Announcement FV-214) for each delivery shipment and submit to representatives of the AMS Fruit and Vegetable Programs, Fresh Products Branch (USDA Grader) when requesting inspection service.
5. Such records must be available for review by the Government in accordance with Article 76 of USDA-1. In the event of an audit, AMS auditors will examine as many codes as is necessary to verify compliance. USDA graders will select and review at least one code for each contract to determine compliance with the Agency's domestic origin requirements.
6. Self-certifications by contractors and sub-contractors will not be accepted.
7. Failure to observe this requirement may lead to suspension or debarment, contract termination, and penalties at Title 18, Section 1001 of the US Code concerning falsification of information.

**D. Packing Season**

All fresh vegetables must be from the current packing season/crop year, unless otherwise specified in the applicable Invitation.

**E. Containers and Packing**

1. The product delivered to USDA shall be packed in new, good quality cartons, so constructed as to insure acceptance by common carrier or other carrier for safe transportation for domestic shipment. These cartons shall be of the same dimensions as those used in normal commercial transactions. These packing requirements provide that pack shall be at least fairly tight or fairly well filled. The tolerances applicable under such packing requirements shall apply.
2. The containers and case markings shall meet the United States Standards for Condition of Food Containers (7 CFR Part 42). In addition to any other commercial markings, each carton shall show the grower's or shipper's name and address, variety, grade (state grade may be shown if in compliance with paragraph II, and size by count).

**F. Palletization Requirements**

## 1. Pallets

Pallets must be on 48 X 40 inch, non-reversible, flush stringer, and partial four-way entry. New pallets must be good quality wood. Used pallets must be No.1 hardwood or its equivalent in new softwood. If pallet exchange is desired, the contractor shall arrange for pallet exchange with consignees. USDA is in no way responsible for arrangement of pallet exchange.

## 2. Unitization

Each delivery unit of fresh vegetables must be unitized. Shipping cases must be stacked and secured from top to bottom, so that each container and layer of containers becomes an integral part of the pallet. Either stretch wrapping with plastic film, netting, or “lock ‘n pop” is acceptable.

**II. Individual Commodity Specifications –****A. Corn (husked)**

1. Grade - U.S. No. 1, Husked.
2. Cartons – packing shall be at least fairly tight or fairly well filled.
3. Size – 4 inch minimum unless otherwise specified; Per Pallet – 80
4. Net weight – 24 pounds; Gross weight – 26 pounds.
5. Top ice is required on all shipments.
6. Refrigerated shipment at 34° to 36° F.

**B. Potatoes**

1. Grade - U.S. No. 1.—Washed.
2. Pack and Size Requirement  
50 pounds cartons, size 100 or 110; 50 pounds bags, size A, 2 inch minimum.  
Packing shall be at least fairly tight or fairly well filled.
3. Varieties – 50 pounds **cartons** –Russet, Baking -- 50 pounds **bags**- Irish, Round White.
4. The grade requirements referred herein are defined in the United States Standards for Grades of Potatoes, effective on the date of the invitation.

**C. Tomatoes**

1. Grade – U.S. Combination Grade, 60% or more U.S. No. 1.
2. The grade requirements referred herein are defined in the United States Standards for Grades of Tomatoes, effective on the date of the Invitation.
3. Packing shall be at least fairly tight or fairly well filled.

**III. Inspection****A. Requirements**

USDA, AMS, Fruit and Vegetable Programs, Fresh Products Branch (USDA Grader) must perform the inspection required by Articles 54 and 55 of USDA-1.

USDA inspection of **fresh vegetables must be performed at destination**. The count (number) of packages shall be certified by Federal or Federal-State Inspection Service. Subject to Articles 54 and 55 of USDA-1, the acceptability of the quality, and packaging, of the product must be evidenced by certificates issued by the USDA Grader.

Representative sample units will be graded according to the Regulations Governing Inspection and Certification of Fresh Vegetables and Related Products (7 C.F.R. part 51), and United States Standards for Condition of Food Containers (7 C.F.R. part 42.140), effective on the date of the Invitation.

**B. Procedures**

The Contractor must give the USDA Inspection office at least 3 calendar days advance notice when scheduling inspection service.

**IV. Failure to Meet Specifications**

Any lot which fails applicable specifications prescribed herein will be rejected as not acceptable for delivery. However, the Contractor may request in writing that USDA accept delivery of the lot. USDA may, at its option, accept delivery, provided that the purchase price is the contract price less the minimum discount specified, depending on the reason(s) for the failure to meet specifications.

**A. Product**

1. Failed Inspection due to excessive amounts of condition: Subject to a five (5) percent discount.
2. Failed Inspection due to grade: Subject to a three (3) percent discount.
3. Incorrect shipment of count/sizes: Subject to a two (2) percent discount.
4. No Inspection of product: Subject to a ten (10) percent discount.

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